

PATENT APPLICATION

Docket No: 14321.58

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Shinji Mino et al.)
Serial No.: 10/675,391) Art Unit
Filed: September 30, 2003) 2874
Confirmation No.: 6847)
For: OPTICAL MODULE AND OPTICAL SWITCH)
CONSTITUTING THE SAME)

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the 21st day of January 2004.

- Transmittal for Information Disclosure Statement (3 pages)
- Information Disclosure Statement (2 pages)
- Form PTO-1449 listing 6 references (2 pages)
- A copy of each of the references list on the Form PTO-1449
- Postcard

Respectfully submitted,

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246

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ATTORNEYS AT LAW

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COMPLEX LITIGATION

GENERAL E-MAIL: info@wnpatent.com

— Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

____ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

X Form PTO-1449 listing 6 references submitted for consideration.

X A copy of each of the references listed on the Form PTO-1449.

____ English translations of ____ (____) of the references listed on the Form PTO-1449 which are not in the English language.

____ Copies of the following documents from the prosecution of a previous, related application:

____ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT;
and

____ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

I. X Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.

II. ____ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

____ Promptness Certification; or

____ Check No. _____ in the amount of \$____ constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

III. ____ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

____ Promptness Certificate;



- ____ Petition for Consideration; and
- ____ Check No. in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
- IV. ____ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- ____ Petition to Withdraw from Issue; and
- ____ Check No. _____ in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

- X Any fee required in relation to filing of this letter or any documents transmitted therewith.
- ____ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).
- ____ The submission fee set forth in 37 C.F.R. § 1.17(p).
- ____ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 21st day of January 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dana L. Tangren".

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913



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CONSTITUTING THE SAME)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

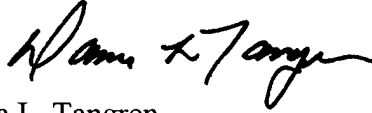
Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Dated this 21st day of January 2004.

Respectfully submitted,

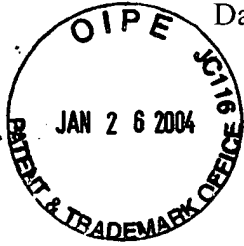


Dana L. Tangren
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Applicant: Shinji Mino et al.

Confirmation No.: 6847

Serial No.: 10/675,391

Att'y Docket No.: 14321.58

Filing Date: September 30, 2003

Group: 2874

For: OPTICAL MODULE AND OPTICAL SWITCH CONSTITUTING THE SAME



 INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

Examiner Initial*	Document Number	Issue Date	Name
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Foreign Patent Documents

Examiner Initial*	Document Number	Publication Date	Country or Patent Office	Translation
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Other Documents

(including author, title, pertinent pages, etc.)

 Examiner
 Initial*

- | | |
|---------|---|
| _____ 1 | T. Goh et al., <i>Large-Scale Integrated Silica-Based Thermo-Optic Switches</i> , NTT Review, Vol. 13, No. 5, 2001, pp. 18-25. |
| _____ 2 | T. Watanabe et al., <i>Silica-Based PLC 1x128 Thermo-Optic Switch</i> , Proc. 27 th ECOC '01, Tu. L. 1. 2., Amsterdam, 2001. |
| _____ 3 | S. Mino et al., <i>Novel IC-on-PLC Technology and its Application to Compact 1 x 128 Silica-Based PCL Switch</i> , Proc. of OFC 2003, TuE2, Atlanta, 2003. |
| _____ 4 | T. Shibata et al., <i>Silica-Based 16 x 16 Optical Matrix Switch Module with Integrated Driving Circuits</i> , Proc. of OFC 2001, WR1-1, Ahaheim, 2001. |
| _____ 5 | T. Goh et al., <i>Low Loss and High Extinction Ratio Strictly Nonblocking 16 x 16 Thermo-optic Matrix Switch on 6-in Wafer Using Silica-Based Planar Lightwave Circuit Technology</i> , Journal of Lightwave Technology, Vol. 19, No. 3, March 2001, pp. 371-379. |
| _____ 6 | T. Goh et al., <i>Scalable 128 x 128 Optical Switch System Composed of Planar Lightwave Circuit and Fiber Sheet for Optical Crossconnect</i> , Proc. 28 th , ECOC 2002, Copenhagen, pp. 6.2.7. |

Examiner:

Date Considered:

 *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
